

UPDATED INFORMATIVE DIGEST

These proposed regulations amend specific provisions and adopt new language in the California Department of Social Services (CDSS) Manual of Policies and Procedures (MPP) that regulate Stage One of the California Work Opportunity and Responsibility to Kids (CalWORKs) child care program.

Current law requires the CDSS to notify Resource and Referral agencies (R&Rs) of the issuance of a revocation or a temporary suspension order (TSO) for a licensed child care provider.

Assembly Bill (AB) 72 (Statutes of 2004, Chapter 358) places additional notification and time frame requirements on CDSS. Effective January 1, 2005, CDSS is required to notify R&Rs within two business days of the issuance of a TSO or the revocation or placement on probation of a license for a child care provider within the R&Rs' jurisdiction.

AB 72 amended Section 8212 of the Education Code and added Section 1596.773 to the Health and Safety Code which affect R&Rs, county welfare departments (CWDs) and alternative payment programs (APPs). The amendments require R&Rs to remove from their referral list within two business days of receiving notice any licensed child care provider who is on probation, has their license revoked, or receives a TSO. In addition, R&Rs must notify CWDs and APPs within two business days of receiving these notices.

The new law requires CWDs and APPs to terminate payment to the child care provider within two business days of receiving notice that their license has been revoked or placed on TSO. In addition, CWDs and APPs are required to notify the parents and the child care provider of the reason for the termination within two business days of receiving notice.

Child care providers who have been placed on probation will continue to receive payment; however, CWDs and APPs are required to notify the parents within two business days that their child care provider has been placed on probation. Parents have the option to locate alternate child care arrangements or may remain with the provider without risk of subsidy payments being terminated to the provider.

These proposed regulations are to facilitate implementation of Section 8212(e) of the Education Code by providing clear, consistent procedures for CWDs to follow when they receive notification that a child care license has been placed on TSO, revoked, or that the provider has been placed on probation.

These regulations were considered as Item #2 at the public hearing held on August 16, 2006 in Sacramento, California. No oral testimony was received. Written testimony was received from the Children's Advocacy Institute (CAI) and the Los Angeles County Department of Public Social Services (LACDPSS).

A 15-Day Renote was not necessary as there were no revisions made to the regulations after the public hearing.